UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

ROBERT C. ADLER,

Plaintiff,

1:18-cv-08100 (PAC)

v.

STIPULATION AND [PROPOSED] ORDER

PAYWARD, INC. d/b/a/ KRAKEN.

Defendant.

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned attorneys for the parties that the time within which Defendant Payward, Inc. d/b/a Kraken may move, answer or otherwise respond to the Complaint is hereby extended up to and including November 1, 2018.

No Provision of this Stipulation and Order shall be construed as a waiver of, and Defendant Payward, Inc. d/b/a Kraken hereby expressly reserves, any and all defenses.

There has been no previous request for extension of time with respect to Defendant Payward, Inc. d/b/a Kraken's time to move, answer or otherwise respond to the Complaint.

Dated: October 18, 2018

MARION & ALLEN, P.C.

488 Madison Avenue, Suite 1120 New York, New York 10022 (212)-658-0350

Fax: (212) 308-8582

Email: rmarion@rogermarion.com

Attorneys for Plaintiff Robert C. Adler

Dated: October 18, 2018

PIERCE BAINBRIDGE BECK

PRICE & HECHT LLP

Christopher N. Lavigne

Christopher N. Lavign Adam C. Ludemann

20 West 23rd Street, Fifth Floor New York, New York 10010 (213) 262-9333 clavigne@piercebainbridge.com aludemann@piercebainbridge.com

Attorneys for Defendant Payward, Inc. d/b/a Kraken

SO ORDERED:

Hon. Paul A. Crotty United Stated District Judge